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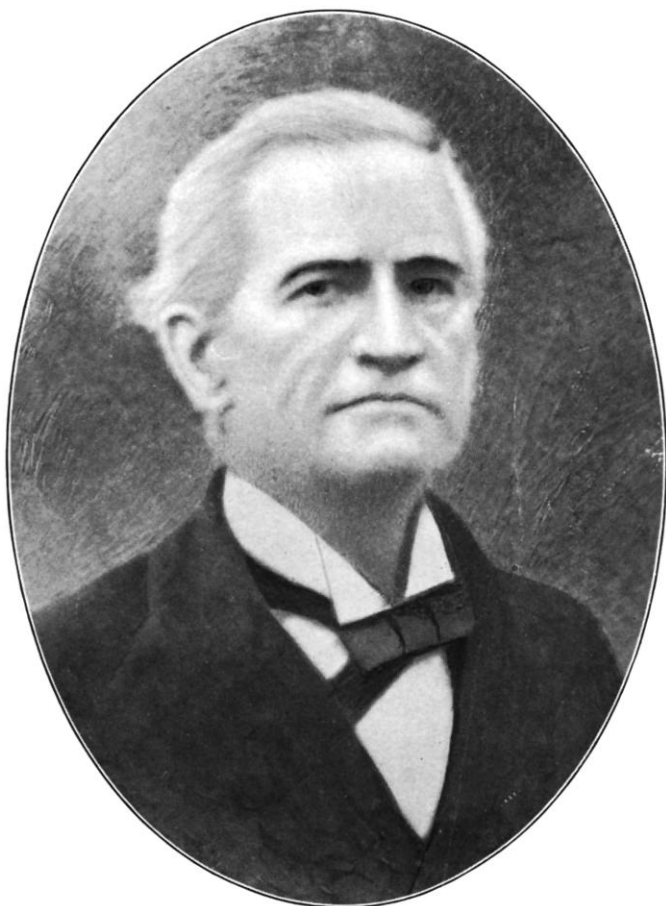
HON. H. S. K. MORISON.

The subject of this sketch, Judge Henry Solon Kane Morison, was born at Estillville, Scott county, Virginia, June 12th, 1846, and died there November 9th, 1899.

He was of Scotch-Irish descent. Two of his paternal ancestors, Peter Morison and Jonathan Wood, were engaged in the battle of King's Mountain, under Colonel Isaac Shelby, from Sullivan county, North Carolina, now Tennessee. They really lived in Washington county, Virginia, but at that time the line between the States had not been accurately located, many old grants of North Carolina having been located in Virginia. In the celebrated controversy between Colonel Shelby, then ex-governor of Kentucky, and Mr. William C. Preston, of South Carolina, a grandson of Colonel William Campbell, as to Colonel Campbell's conduct in the latter part of the engagement, both Peter Morison and Jonathan Wood sustained Colonel Shelby's contention.

Peter Morison was liberal and generous to a fault. Upon one occasion, after having hospitably entertained a friend, as he was preparing to take his departure, he highly commended the negro boy who attended him. Morison at once made him a present of the boy, and he rode off behind him on horseback.

Jonathan Wood was descended from an old English family. The first to settle in this county was John Wood, a lawyer, who came to Virginia in 1665, and settled upon the Potomac River. His son, John Wood, lived in Loudoun county, and was the father of Jonathan Wood. Jonathan Wood married Mrs. Nancy Osborne, a widow, whose husband had been killed by the Indians. Soon after this marriage Jonathan Wood moved to what was then Washington county (now Scott) and settled upon Big Moccasin Creek, estab-



H. S. K. MORISON

LATE JUDGE OF THE SEVENTEENTH JUDICIAL CIRCUIT OF VIRGINIA

lishing a home which for almost a century was the center of hospitality in the county.

Peter Morison's son, George, married Polly Wood, Jonathan Wood's daughter, thus uniting the families of the two old revolutionary heroes. Of this marriage there were born thirteen children, whose descendants are numerous. Many of them have attained distinction. General James Martin, a grandson, now a distinguished citizen of Illinois, fought on the side of the Union, and by successive promotions arose to the rank of general. Henry A. Morison, one of the thirteen children, was Judge Morison's father.

On the maternal side he was descended from the Kanes. Patrick Kane, the founder of the family in this country, came from Ireland soon after the Revolution, and settled in New York. He married Miss Adelia Harris, and soon thereafter moved to Norfolk, Virginia, thence to Sullivan county, Tennessee, and thence to Scott county, Virginia. Henry A. Morison married Patrick Kane's daughter, Louise Elizabeth. Of this union there were seven children, including Judge Morison, three of whom now survive, viz: Marion T., who married John M. Johnson, Esq., Kate A., who married Colonel J. B. Richmond, and Victoria L., who married Rufus A. Ayers, Esq., former Attorney-General of Virginia.

Judge Morison received his early academic education at Estillville Academy, an institution which then had as preceptors, strong, vigorous and well educated men. They laid the foundation, and trained his mind for the intellectual superiority which he subsequently attained. He easily and thoroughly mastered an elementary education, and, in 1863, entered the Virginia Military Institute. Among his fellow cadets were Hon. John S. Wise, General John E. Roller, Hon. J. W. McGavock, Hon. William A. Jones, Judge G. T. Garnett, and many others who subsequently became distinguished. He at once took a high stand in his class, but his work was much interrupted by the vicissitudes of the war, which finally resulted in the destruction of the Institute by fire during Hunter's raid. He was not present at the battle of New Market, where the corps immortalized itself, as he was convalescing from a severe attack of typhoid fever, and was at home on furlough. He however returned to duty as soon as he was able, and was with the cadets in the trenches around Richmond, seeing constant service until the corps was finally disbanded. At the close of the war he returned home, and soon thereafter commenced the study of law in the office

of his uncle, Henry S. Kane, Esq. Mr. Kane was then a very distinguished lawyer, and gave his nephew rare advantages. He remained with his uncle until 1866, when he entered the law school of the University of Virginia, in which the late John B. Minor was an instructor. He was admitted to the bar in 1867, and commenced the practice in Scott and Lee counties. He was of a studious and quiet disposition, but when thoroughly aroused, he became, as Wirt said of Henry, "as bold and intrepid as a lion, and as eloquent as an Emmett or Curran." For some time he was a briefless lawyer, but his father, who, prior to the war, in addition to being the largest merchant in the county, was quite a prominent lawyer, turned over to him all his cases, and his uncle retained him in a great many. An opportunity presenting itself during the latter part of his first year at the bar, he took an active part in the trial of an important case, which he managed with such signal ability as to attract the attention of the court and bar. Colonel James W. Humes, of Abingdon, then the most brilliant and able member of the bar in Southwest Virginia, was in court during the trial of the case, and was so impressed by his ability and knowledge of law, that he soon after proposed to form a partnership with him in Scott and Lee counties. The offer was at once accepted.

This partnership, aside from any pecuniary consideration, was of great benefit to Judge Morison. Humes was a man of great erudition, of very literary tastes, and as Morison's inclinations were that way, the result was that, in the long rides together to and from the different courts, and in the evening by the fireside, these two, drawn together by such congenial ties, were constantly discussing the classics, legal propositions and governmental questions. Judge Morison fairly revelled in this intercourse. This was destined to last but a short while however; within five years the career of the brilliant Humes was brought to a close, and a life which would have been part of the woof and warp of Virginia's history ended. The few years of association with him left its impress upon Judge Morison's after-life. His natural inclination for the classics had been confirmed, and thereafter he was never so completely content and happy as when in his library surrounded by his books, of which he possessed a goodly number, which continued to increase so long as he lived.

In 1870 he was elected Commonwealth's Attorney for Scott county and served until 1874, when he was elected Judge of the

County Court, which office he held for six years. He was elected Judge of the Seventeenth Judicial Circuit in 1885, and served until 1892, when he resigned and resumed his practice. In 1892 he was a prominent candidate before the General Assembly for Judge of the Supreme Court of Appeals, but was defeated. In 1894 he was nominated by acclamation by the Democratic party for Congress from the Ninth District, although he was not an aspirant for the nomination, and, after a very able fight against great odds, was defeated by General James A. Walker. Judge Morison's canvass was noted for the high plane upon which it was conducted. His defeat was deeply regretted by his friends, who had looked forward to his career in Congress with great interest and expectations—a career for which he was pre-eminently fitted. He was an eloquent, earnest and magnetic speaker, highly cultured, philosophical and logical in debate, and in deep sympathy with the people.

The celebrated murder case of *Commonwealth v. Dean* was tried before him while he was on the bench of the Scott County Court. Dean was convicted upon circumstantial evidence, after two mistrials, in which over one hundred witnesses testified, and although the case was appealed to the Circuit Court, and thence to the Supreme Court, the sentence was approved and executed.

Judge Morison was upon the Circuit bench during the great era of railroad building and development in his section, and many important questions were presented to him for adjudication. So highly was his judgment esteemed by the bar, that appeals were rarely taken, and when taken, he was generally sustained by the Court of Appeals. No man ever presided in the Circuit who was more universally respected and esteemed. His superior judicial mind generally made clear to both lawyers and litigants, the reason for his judgments, which were always accepted without a question that aught else than the true merits of the case had been considered. At common law, his long experience and practice qualified him to dispose of all the questions which arose in the settlement of land titles with accuracy and dispatch. It was however as a chancellor that he excelled. Here the pure and upright character of the man was given full sway, and no suitor seeking an unconscionable advantage, cared to appear before him the second time; whilst the poor and oppressed ever found an unbiased and sympathetic ear turned to their complaint. It might be truly said of him, as was said of the great Hardwicke, that he was "the personification of wisdom distributing justice and

delivering instruction." He fully measured up to Socrates' conception of a judge, who said: "Four things belong to a Judge—to hear cautiously, to answer wisely, to consider soberly, and to decide impartially." He combined the *suaviter in modo* with the *fortiter in re*.

Joseph L. Kelly, Esq., a prominent attorney of Bristol, Virginia, who commenced the practice of law at Estillville, in a recent letter to the writer, says:

"In speaking or writing of one whom we have known so well as you and I knew Judge Morison, it is difficult for us to entirely disassociate ourselves from what we say. I began the practice of law under him, and can never forget my first meeting with, and impression of him. It was in the court room at Estillville, in August, 1889. His classic face, distinguished bearing and musical voice brought me at once under the spell of his presence. It was clear that he was more than the ordinary man. This first impression was intensified by a further and closer observance of his course upon the bench. The lawyers of his circuit without dissent are agreed that it was an inspiration to practice in his courts. He was a pure and able jurist, a scholarly and polished gentleman. These qualities were so strikingly and uniformly exemplified in his life, that he won and held the respect of the entire bar of his circuit, and will ever be remembered by those who survive him as a learned, impartial and fearless judge, and a charming associate and friend.

"In the trial of jury cases he was always prompt and clear in his rulings, and handled this class of litigation with apparent ease; but it was as a chancellor that he seemed to me especially to excel. In this field he found more freedom for the exercise of his powers of analysis, and broad sense of natural justice. He rarely reduced his decisions to writing, but after the full investigation which characterized his work as a judge, he was remarkably strong, and often eloquent in the delivery of his opinions. Being a man of literary tastes and culture, he occasionally embellished his opinions with quotations from his favorite books—chief among which was the Bible.

"Upon one occasion, in deciding a suit to remove a cloud from title to real estate in which a principal question was one of boundary, he quoted so extensively from the Old Testament as to provoke from counsel for the losing side the comment that, "If Judge Morison would read more law, and less scripture, he would make a

good judge." This remark however was made purely in jest, and the best of humour, for the attorney who made it, himself an excellent lawyer, was among his chief admirers.

"It was my privilege to see much of him in his home, and feel that, with due regard to the sacredness of that domain, I may be permitted to say that his life there was what we would naturally expect in one who was so companionable, and so true and loyal in the more public walks of life."

After resigning as Judge of the Circuit Court, he accepted retainers from several important corporations, and at once entered upon a large and lucrative practice. One of his later cases was *Emory and Henry College v. Shoemaker College*, a case which attracted much attention because of the interests involved. He prepared a brief in the case in which he discussed at length the Statute of 43 Elizabeth, and charitable bequests both for educational and religious purposes, and showed how they had been confused by the courts both of this country and in England. He possessed to a great extent the power of elegant and illustrative amplification, of which his oral argument and printed brief in this case were a splendid illustration. He was capable of great industry, and always prepared his cases thoroughly. He seized an idea quickly, and having a prodigious memory, his power of luminous, lucid and convincing statement was unrivalled.

Hon. Patrick Hagan, of Scott county, the Nestor of the Bar of that county, and a life long friend of Judge Morison, pays this tribute to his memory:

"After he made a few arguments at the bar, he soon became appreciated, and at once stepped into the front rank of the most advanced lawyers. His arguments were replete with all kinds of knowledge, and were delivered with force, perspicuity and convincing logic. He never disappointed. He was so endowed with imagination, classic learning and general knowledge, that he always delighted, as well as instructed his audience. He captured juries, and enlightened judges and became almost invincible in debate. He was a ripe scholar, a profound jurist and an eloquent advocate."

But it was only for a season that he was destined to enjoy the large practice which poured in upon him. Already his health, much enfeebled by the strain of his canvass for Congress, began to fail, and he was admonished that he must get his "house in order." In the fullness and ripeness of his intellectual powers, he was stricken

down as he was seated in his library, with his family around him. Death came quickly and peaceably, as he would have wished, and he calmly passed away in the bosom of his family, sustained in death, as he had been through life, with the hope of his religion.

Judge Morison married Miss Annice Kyle, daughter of the late Col. A. K. Kyle, of Rogersville, Tennessee, and sister of Judge Hugh Kyle. Of this marriage there were six children, five of whom survive.

His married life was most happy, his wife, who survives him, being a woman of splendid qualities of mind and of heart—a fit companion for her distinguished husband.

In closing this sketch I prefer, lest deep affection and veneration for the memory of one for whom I entertained almost filial devotion, be the guide of my pen, that he who was for years his steadfast friend, and spiritual adviser, speak of his home life and christian character. Rev. J. L. Weber, president of Kentucky Wesleyan College, very eloquently does this in the following letter :

“For four years I was pastor of the M. E. Church, South, at Gate City, Virginia, and was thrown into intimate and confidential relationship with Judge Morison. He was an official of the church, and I was often an inmate of his home. On more than one occasion he and I sat in his library until long past the midnight hour, discussing the great problems of human destiny. He had no doubt as to the immortality of the soul, and the Bible was the foundation of his belief. An appeal to that source always settled all questions. He accepted the teachings of Christianity, and made it the effort of his life to live after the high example of the man of Galilee. He was not willing to consider him as a man only, but reverently saw in him the fullest and most satisfactory revelations of God ever given to man. He was a man of intense religious feeling, and his faith was that of a child looking to an all-wise and powerful father. His professions were simply and humbly made. He made no effort to understand how God could love a sinful man, but rejoiced in the fact and appropriated it to his own comfort. His home was ideal in many respects. No more considerate and tender husband could be found than he. He was affectionate and courteous at all times. His bearing towards his children was such as to develop in them those virtues that are essential to growth in character. Above everything else, he tried to impress upon his children the value of personal character. In the home circle he was free and absolutely with-

out restraint. An evening around his fireside was an occasion not soon to be forgotten. He was a happy, knightly gentleman. The impress of his life is to be seen in his children, who will ever hold his memory dear, and the influence of his honorable life as an inheritance far above gold and silver. He was a gentleman and a christian. Earth was enriched by his life. Heaven is the home of such lofty spirits."

H. J. AYERS.

Big Stone Gap, Va.